

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 10, 2004

DIVISION ONE

B171054 Ruiz (Certified for Publication)
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

Let a peremptory writ of mandate issue commanding the Appellate Division of the Los Angeles County Superior Court to vacate its order of November 3, 2003, denying defendant's petition for a writ of mandate and to enter a new and different order granting the petition and further ordering the Los Angeles County Superior Court, Limited Jurisdiction, to vacate and set aside its order of October 22, 2003, refusing to honor petitioner Javier Ruiz's disqualification of Judge Walmark pursuant to Code of Civil Procedure section 170.6 and set aside all orders made by Judge Walmark following his disqualification on October 22, 2003. The order shall also provide that all further proceedings against petitioner are to be conducted before a judge other than Judge Walmark. The temporary stay order issued on November 7, 2003, is dissolved.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION TWO

[illegible]

The appeal is dismissed.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
Doi Todd, J.

June 10, 2004 (Continued)

DIVISION TWO (Continued)

B163746 Dalla, Inc. (Not for Publication)
v.
Petrossian, et al.

The judgment is affirmed. Dalla is entitled to its costs on appeal.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
Doi Todd, J.

DIVISION FOUR

B167182 Bliss (Not for Publication)
v.
Hunt et al.

The appeal is dismissed. Respondents are to have their costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B165805 People (Not for Publication)
v.
Albicker

The conviction on count 7, grand theft auto is reversed. The abstract of judgment is modified to strike the parole revocation fine. In all other respects, the judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B174038 Theresa C. (Not for Publication)

v.

Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition is denied.

Grignon, Acting P.J.

We concur: Armstrong, J.
Mosk, J.

B166707 People (Not for Publication)

v.

Brian G.

The judgment is affirmed. Pursuant to CRC 24 (b) (3), the opinion is made final forthwith as to this court.

Grignon, J.

We concur: Turner, P.J.
Mosk, J. (with opinion)

B152740 E.M.M.I., Inc. (Not for Publication)

v.

Zurich American Insurance Co.

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

June 10, 2004 (Continued)

DIVISION FIVE (Continued)

B168813 People v. Carol Canty (Not for Publication)

The clerk of superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which accurately sets forth the 501 days presentence credits. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

B168714 People
v.
Gary Johnson, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B168524 People
v.
Johnny Rodriguez

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B161266 People v. Lara
B165319 People v. Pimentel
B165670 People v. Anna G.
B166842 People v. Chavez
B167350 People v. Galicia
B167687 People v. Mendoza
B168085 People v. Morales
B168363 People v. Harris
B168583 People v. Lozano
B168750 People v. Narro
B168863 People v. James
B169750 People v. Arnold
B169780 People v. McKenna
B170090 People v. Santiago
B170303 People v. Diaz
B170633 People v. Pendleton

Argument waived, cause submitted.

B171167 People v. Ruiz

Matter off calendar, appeal having been dismissed on June 4, 2004.

B167464 People
 v.
 Wiseman

Merits:

Argued by Esther R. Sorkin for appellant and by Laura J. Hartquist, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B169879 People
 v.
 Hischier and McBride

Merits:
Argued by Ilan Funke-Bilu for appellant Hischier and by John Yang, Deputy Attorney General, for respondent via video conference. Argument previously waived by appellant McBride. Cause submitted.

B162992 People
 v.
 Miranda

Merits:
Argued by Dan Mrotek for appellant and by Alene M. Games, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. left the bench.

B167522 People
 v.
 Hicks

Merits:
Argued by Jean F. Matulis for appellant and by Corey J. Robins, Deputy Attorney General, for respondent via video conference. Cause submitted.

B170538 In re Molina
 on
 Habeas Corpus

Merits:
Argued by Nicholas Newlin Paul, Deputy Attorney General, for appellant and argument previously waived by respondent. Cause submitted.

June 10, 2004 (Continued)

DIVISION SIX (Continued)

B170758 People
 v.
 Furgeoson

Merits:

Argued by Rudy G. Kraft for appellant and argument previously waived by respondent. Cause submitted.

Court adjourned at 3:15 P.M.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B165281 People v. Woods
B167042 People v. Intriano
B167265 People v. Jose B.
B168087 People v. Padilla
B168270 People v. Allen
B171817 People v. Michaels
B169655 DCFS v. Rashanda R.
B170738 DCFS v. Gloria C.

Argument waived, cause submitted.

B167689 People
 v.
 Preciado

Merits:

Argued by Mark Lenenberg for appellant and by David Madeo, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B167206 People
 v.
 Purifoy

Merits:
Argued by Michele Douglass for appellant and by Lance Winters, Deputy Attorney General for respondent. Cause submitted.

B168985 People
 v.
 Garcia, et al.

Merits:
Argued by Gerald Miller for appellant and by Robert Schneider, Deputy Attorney General for respondent. Cause submitted.

B165117 People
 v.
 Young

Merits:
Argued by Jeffrey Needelman for appellant and by Michael Katz, Deputy Attorney General for respondent. Cause submitted.

B164108 Mantle
 v.
 Mantle

Merits:
Argued by Ron Saxman for appellant and by Suzanne Goulet for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B165597 People
 v.
 Vasquez

Merits:
Argued by Joanna McKim for appellant and by Louis Karlin, Deputy
Attorney General for respondent. Cause submitted.

B164740 Robles
 v.
 Robles

Merits:
Argued by Thomas Peterson-More for appellant and by Robert Friedman
for respondent. Cause submitted.

B167560 Artisan Entertainment
 v.
 Hoffman

Merits:
Argued by Michael Chodos for appellants and by Peter Hoffman for
respondent. Cause submitted.

Court recessed at 11:50 a.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy
Clerk.

B164726 Arnold v. Arnold

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B169503 Garcia
 v.
 Regal Realty,
 Redoe Realty, et al.

Merits:
Argued by Andrew Smyth for appellant and by Neil Gunny and Keith Crouch for respondents. Cause submitted.

B162487 Concrete Tie Industries
 v.
 Chodos, et al.

Merits:
Argued by Hillel Chodos for appellants and by Martin Kovalsky for respondent. Cause submitted.

B172309 Cruz, et al.
 v.
 Superior Court, Los Angeles County

Merits:
Argued by Richard Rothschild for petitioners and by Douglas Woods, Deputy Attorney General for respondent. Cause submitted.

Court adjourned at 3:08 p.m.

DIVISION EIGHT

B165538 McLaughlin, et al. (Certified for Publication)
 v.
 Walnut Properties, Inc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.